

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

DAVID W. BRANKLE,

Plaintiff(s),

vs.

UNITED STATES OF AMERICA,

Defendant(s).

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Case Number: 1:09cv230

Chief Judge Susan J. Dlott

ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Timothy S. Black. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on June 5, 2009 a Report and Recommendation (Doc. 7). Subsequently, the plaintiff filed objections to such Report and Recommendation (Doc. 9).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendation should be adopted.

Accordingly, this case is **DISMISSED** without prejudice pursuant to Fed. R. Civ. P. 41(b) and this matter is **CLOSED**.

IT IS SO ORDERED.

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s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court